

1 THE HONORABLE MARSHA J. PECHMAN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9
10 THE POKÉMON COMPANY
11 INTERNATIONAL, INC., a Delaware
12 corporation,
13

Plaintiff,

14 v.
15

BRYAN GARCIA CRUZ, an individual,
16 and DAVID ANDINO MAISONAVE, an
individual,
17

Defendants.

No. 19-cv-1911MJP

PLAINTIFF'S MOTION TO EXTEND
DEADLINE TO REOPEN CASE OR IN
THE ALTERNATIVE TO REOPEN

NOTE ON MOTION CALENDAR:
June 11, 2021

18 Plaintiff The Pokémon Company International, Inc. ("TPCi") moves to extend the
19 deadline to reopen the above-captioned case by twenty one days, or in the alternative to reopen
20 the case, to allow additional time for the parties to execute the settlement documents, which
21 include a stipulated injunction and stipulated judgment, and fulfill an initial term of the
22 settlement, and submit the stipulated injunction and stipulated judgment to the Court.

23 On May 3, 2021, the TPCi and Defendant David Andino Maisonave notified the Court
24 that they had reached a settlement in this matter. Dkt. No. 44. The following day, TPCi and
25 Defendant Brian Garcia Cruz notified the Court that they too had reached a settlement in
26 principle. Dkt. No. 45. The Court then dismissed this action with prejudice, but provided that

PLAINTIFF'S MOTION TO EXTEND
DEADLINE TO REOPEN OR TO REOPEN (No.
19-cv-1911MJP) – 1

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1 “[i]n the event that settlement is not perfected, any party may move to reopen the case, provided
2 that such motion is filed within” thirty days of this order. Dkt. No. 47.

3 As indicated in the Notice of Settlement, the parties have reached a settlement as to all
4 terms. Since that time, the parties have also agreed to the language in the settlement documents,
5 which will include a stipulated judgment, stipulated injunction and a dismissal, with prejudice.
6 Declaration of Jacob P. Dini (“Dini Decl.”) ¶ 2. Defendants are pro se, and the parties require
7 additional time to execute the respective settlement documents and fulfill an initial term of the
8 settlement. *Id.* Because this motion is being made within thirty days of the Court’s May 7, 2021
9 order (Dkt. No. 47), TPCi therefore requests that the Court extend the deadline to reopen the case
10 by twenty one days, or in the alternative reopen the case, to allow the parties time to execute the
11 settlement documents and submit the permanent injunction and stipulated judgment to the Court.

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13 DATED: June 3, 2021
14

15 By: s/Jacob P. Dini
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17 Jacob P. Dini, WSBA No. 54115
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21 *Attorneys for Plaintiff, The Pokémon
22 Company International, Inc.*
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PLAINTIFF’S MOTION TO EXTEND
DEADLINE TO REOPEN OR TO REOPEN
(No. 19-cv-1911MJP) – 2

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served a copy of the foregoing Motion to Extend Deadline to Reopen Case or in the Alternative to Reopen, Declaration of Jacob P. Dini in support of Motion to Extend Deadline to Reopen Case or in the Alternative to Reopen and Proposed Order to the following via U.S. Mail, postage prepaid, before the hour of 5:00 pm, on June 3, 2021:

Bryan Garcia Cruz
5509 Legacy Crescent Pl., Unit 302
Riverview, FL 33578-2818

David Andino Maisonave
221 W Laurel Street
Willard, OH 44890-1342

s/Jenna DeRosier

Jenna DeRosier Legal Assistant

**CERTIFICATE OF SERVICE
(No. 19-cv-1911MJP) – 1**

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